

Tuesday, June 16, 2015

The Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts, met in regular session at 9:00 AM.

PRESENT: Supervisors: Frank R. Mecham, Bruce S. Gibson, Adam Hill, Lynn Compton and Chairperson Debbie Arnold

ABSENT: None

THE PLEDGE OF ALLEGIANCE IS LED BY CHAIRPERSON DEBBIE ARNOLD.

Consent Agenda – Review and Approval:

1-35 & 43. This is the time set for consideration of the Consent Agenda.

Chairperson Arnold: announces that the report out on Closed Session will be at 2:00 PM today not 1:30 PM. Further, opens the floor to public comment.

The action taken for Consent Agenda items 1 through 35 and 43 on the following vote is indicated for each item.

Motion by: Bruce S. Gibson

Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Arnold, Debbie (Chairperson)	x			
Compton, Lynn (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			
Hill, Adam (Board Member)	x			

Bid Opening:

1.
- Letter transmitting plans and specifications (Clerk’s File) for River Road Widening Project in San Miguel, for Board approval and advertisement for construction bids and finding that the project is exempt from Section 21000 et seq. of the California Public Resources Code (CEQA). Bid opening date set for Thursday, July 16, 2015. District 1.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Administrative Office Items:

2.
- Request to approve the recommended responses to the FY 2014-15 Grand Jury report titled “We are Waiting: Access to County Provided Mental Health Services” and forward these responses to the Presiding Judge of the Superior Court by July 13, 2015. All Districts.

The Board approves as recommended by the County Administrative Officer.

3.
- Request to adopt recommended responses to the FY 2014-15 Grand Jury report titled “Working or Not: Challenges in enforcing Coastal Vacation Rental Regulations” and forward these responses to the Presiding Judge of the Superior Court by July 7, 2015. Districts 2 and 3.

Ms. Amanda Rice and Ms. Julie Tacker: speak.

The Board approves as recommended by the County Administrative Officer.

4.
- Thirty-day update on current drought conditions and related management actions for the Board’s review of the continuing need for the March 11, 2014 proclamation of local emergency pursuant to Government Code section 8630. All Districts.

Mr. Bill Pelfrey and Mr. Eric Greening: speak.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Auditor - Controller - Treasurer - Tax Collector Items:

5. Submittal of a resolution to accept the 2015-16 Appropriation Limitation calculation for San Luis Obispo County. All Districts.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-154, adopted.

6. Submittal of a cash procedures and internal control review of the District Attorney's Office conducted on February 5, 2015. All Districts.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Clerk-Recorder Items:

7. Submittal of the County Clerk's Certificate regarding the results of the Pension Trust Election. All Districts.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Health Agency Items:

8. Request to approve a three year renewal agreement with Decade Software in an amount not to exceed \$295,500 for database services effective July 1, 2015 and continuing until June 30, 2018 for the Environmental Health Services Division. All Districts.

The Board approves as recommended by the County Administrative Officer.

9. Request to appoint Supervisor Lynn Compton to the Psychiatric Health Facility's Executive Committee. All Districts.

Ms. Sue Warren – North County Connection and the San Luis Obispo County Health Commission: speaks.

The Board approves as recommended by the County Administrative Officer.

10. Request to approve a FY 2015-16 contract with the option to renew for two additional years with Sierra Mental Wellness Group in an amount not to exceed \$891,885 to provide mental health crisis intervention services. All Districts.

The Board approves as recommended by the County Administrative Officer.

11. Request to approve a three year renewal agreement (Clerk's File) with the Children and Families (First 5) Commission of San Luis Obispo County in an amount not to exceed \$450,000 to continue to access State pass through Medi-Cal Administrative Activities (MAA) funding effective July 1, 2015 through June 30, 2018. All Districts.

The Board approves as recommended by the County Administrative Officer.

12. Request to approve renewal agreements (Clerk's File) with Lucia Mar and San Luis Coastal Unified School Districts in the cumulative amount not to exceed \$6,500,000 for a five (5) year period from July 1, 2015 through June 30, 2020 to continue to access State pass through School Based Medi-Cal Administrative Activities (SMAA) funding. Districts 2, 3, and 4.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Human Resources Items:

13. Submittal of a report on the County's implementation of the California Healthy Workplace, Healthy Family Act of 2014 (AB-1522) which extends specific paid sick leave benefits to the County's temporary employees. All Districts.

The Board approves as recommended by the County Administrative Officer.

14. Request to approve a FY 2015-16 through FY 2017-18 contract with Intercare Holdings Insurance Services, Inc. (Intercare) in the total amount of \$1,094,133 for Workers' Compensation Program claims administration services. All Districts.

This item is amended, per the addendum to the agenda, to correct the dollar amount listed in the subject line to read \$1,087,133 not \$1,094,133 and to correct the FY 2017/18 flat rate dollar amount listed under the Financial Considerations section to read \$369,279 not \$376,279. Further, the Board approves as recommended by the County Administrative Officer and as amended by this Board.

Consent Agenda - Planning & Building Items:

15. Submittal of Contract Amendments (Clerk's File) to extend the expiration date of the primary contracts for the County's Environmental Studies Standby Roster for the Preparation of Environmental Impact Reports and other environmental documents. All Districts.

The Board approves as recommended by the County Administrative Officer.

16. Submittal of Contract Amendment #5 (Clerk's File) for Special Services by Independent Contractor (Marine Resource Specialists) in the amount not to exceed \$1,823,761, to continue Mitigation Monitoring for Chevron Guadalupe Oil Field Clean-Up Project (D890558D). District 4.

The Board approves as recommended by the County Administrative Officer.

17. Submittal of Contract Amendment #WOOD-01 (Clerk's File) in the amount of \$108,437 to the primary contract with Douglas Wood & Associates, Inc. to prepare an Environmental Impact Report for the Jeremiassen Tract Map and Conditional Use Permit. District 1.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Probation Items:

18. Request to approve five agreements (Clerk's File) awarding state-funded Community Recidivism Reduction Grants of \$10,000 each to five local community based organizations. All Districts.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Public Works Items:

19. Submittal of a resolution commending John Farhar upon his retirement after 15 years with the County of San Luis Obispo. All Districts.

Ms. Kate Ballantyne – Department of Public Works: amends the date of the meeting listed on the agenda transmittal and staff report to read 06/16/2015 not 06/09/2015.

This item is amended by correcting the date of the meeting listed on the agenda transmittal and staff report to read 06/16/2015 not 06/09/2015. Further, the Board approves as recommended by the County Administrative Officer and as amended by this Board. RESOLUTION NO. 2015-155, adopted.

20. Submittal of bid opening report for 2014-15 Micro Surfacing, Los Osos, to award the subject contract to Telfer Highway Technologies, the lowest responsible bidder, in the amount of \$1,103,955. District 2.

The Board approves as recommended by the County Administrative Officer.

21. Submittal of right of way documents accepting conveyance from Burchfield Family Trust; Ernest J. Jensen and Marjorie M. Jensen Revocable Living Trust; and Mayfield Family Trust for the Primavera Lane Drainage Project, Nipomo. District 4.

The Board approves as recommended by the County Administrative Officer.

22. Submittal of a resolution authorizing conveyance of utility easements to Pacific Gas & Electric and to Southern California Gas, by separate easement deeds, for the Los Osos Wastewater Project – Water Recycling Facility, Los Osos. District 2.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-156, adopted.

23. Request approval of Tract Map 2992, Phase 1 a proposed subdivision, in the community of Templeton resulting in 2 lots by the Filliponi, Thompson and Boneso Family Trusts which has been received and has satisfied all the conditions of approval that were established at the public hearing on the tentative map. District 1.

The Board approves as recommended by the County Administrative Officer.

24. Request approval of Parcel Map CO 11-0112, a proposed subdivision of 2 lots by Michelle Brown Trust which has been received and has satisfied all the conditions of approval that were established at the public hearing on the tentative map, Huasna-Lopez area. District 4.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Public Works Sitting as Flood Control District:

25. Submittal of a resolution designating the Director of Public Works, or designee, as the authorized representative to file an application and execute agreements for the 2015 Integrated Regional Water Management Implementation Grant. All Districts.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-157, adopted.

26. Submittal of a resolution to levy supplemental assessments for costs of San Luis Obispo County Flood Control and Water Conservation District: The parcels of Flood Control Zone 1 and 1A (Arroyo Grande Creek Channel and Los Berros Diversion Channel of Arroyo Grande Creek). District 4.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-158, adopted.

27. Submittal of a resolution to levy original assessments for costs of San Luis Obispo County Flood Control and Water Conservation District Zone 1 & 1A (Arroyo Grande Creek Channel and Los Berros Diversion Channel of Arroyo Grande Creek). District 4.

Ms. Jennifer Tomaszewski- Department of Public Works: replaces page 11 to the resolution to insert a page number.

This item is amended to replace page 11 to the resolution to insert a page number that inadvertently missing. Further, the Board approves as recommended by the County Administrative Officer and as amended by this Board. RESOLUTION NO. 2015-159, adopted as amended.

28. Submittal of a resolution to levy assessments for cost of San Luis Obispo County Flood Control and Water Conservation District Zone 18 (Cambria West Village Area). District 2.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-160, adopted.

29. Request to approve an agreement with H.T. Harvey and Associates, in the amount of \$191,622, for professional environmental consulting services for the Lopez Water Project Habitat Conservation Plan. Districts 3 and 4.

Mr. Jeff Edwards: speaks.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Social Services Items:

30. Request to approve FY 2015-16 renewal service contract (Clerk's File) for Emergency Shelter, Crisis-Stabilization Foster Care, and Wraparound Foster Care with Family Care Network, Inc., a local foster family agency in the amount of \$4,941,404. All Districts.

The Board approves as recommended by the County Administrative Officer.

31. Request to approve a FY 2015-16 new service contract (Clerk's File) for the Independent Living Program/Extended Foster Care with Family Care Network, Inc., a local foster family agency, in the amount of \$380,594. All Districts.

The Board approves as recommended by the County Administrative Officer.

32. Request to approve a FY 2015-16 through FY 2016-17 renewal service contract (Clerk's File) for mandatory California Work Opportunity and Responsibility to Kids Information Network Client Correspondence Printing and Mailing services with Document Fulfillment Services in the total amount of \$420,000. All Districts.

The Board approves as recommended by the County Administrative Officer.

33. Request to approve a FY 2015-16 renewal service contract (Clerk's File) for child care services with Community Action Partnership of San Luis Obispo County, Inc., in the amount of \$1,522,924. All Districts.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Sheriff - Coroner Items:

34. Request to authorize an application for the 2015 Edward Byrne Memorial Justice Assistance Grant (JAG) Program totaling \$17,862, and, if awarded, accept the grant, authorize a corresponding FY 2015-16 budget adjustment in Fund Center 136 – Sheriff-Coroner, amend the fixed asset list to add two Portable Security Cameras and authorize the Sheriff-Coroner to sign all 2015 JAG grant documents. All Districts.

The Board approves as recommended by the County Administrative Officer.

35. Submittal of a resolution authorizing the Sheriff to sign a renewal contract for the Sheriff's Crime Lab to provide services to the California Department of Corrections and Rehabilitation (CDCR), California Men's Colony (CMC), in an amount not to exceed \$40,000 over a two year period. All Districts.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-161, adopted.

Added Item – Consent Agenda – Public Works:

43. Submittal of bid opening report for the County Service Area (CSA) 23 / Atascadero Mutual Water Company (AMWC) / Garden Farms Community Water District (CWD) Emergency Intertie Project, to

award the subject contract to CalPortland Construction, the lowest responsible bidder, in the amount of \$1,096,557; and adopt the attached resolution approving the CSA 23 / AMWC/ Garden Farms CWD Emergency Intertie Project Construction Change Order Policy. District 5.

(This item is added, per the addendum to the agenda. Requirements of the Brown Act have been satisfied as this notice was posted prior to the 72 hour noticing requirement.)

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-162, adopted.

Public Comment Period:

- 36.** This is the time set for members of the public to address the Board on matters that are not scheduled on the agenda.

Mr. Eric Greening: addresses issues relative to Rule 1001 which will be heard at the next Air Pollution Control District (APCD) meeting.

Mr. Ben DiFatta: plays a song; comments on a water leak at the Cuesta College pool; Governor Brown's water reduction request; the need for college students to be responsible for their actions; and why students should not be allowed to vote on local bonds.

Mr. Cody Ferguson: speaks to Assembly Bill (AB) 2453 and the Sustainable Groundwater Management Act (SGMA).

Ms. Linde Owen: comments on an article titled "Drought Relief Money is Unspent"; and requests an increase in funding for the Los Osos Water Conservation Program.

Ms. Becky Jorgeson - Hopes Village of SLO and Mr. Craig Mesman - Hopes Village of SLO Vice-President: discuss support for tiny house living in the community. Additionally, Ms. Jorgeson, speaks to their RVs for Veterans Program.

Mr. Bill Long - Friends of the Arroyo Grande Library: speaks to their fundraising calendar project.

Mr. Greg Grewall and Mr. Bill Pelfrey: address various water related issues. Additionally, Mr. Pelfrey, comments on how the delphi method should not be used for Paso Robles Groundwater Basin (PRGWB).

Dr. C. Hite: speaks to the need for county oversight regarding citizen complaints and liability issues.

Ms. Julie Tacker: discusses the Tourism Marketing District (TMD) hearing on June 10, 2015.

Mr. Jeff Edwards: addresses his comments at a recent State Water Board meeting; and addresses the vacation rental ordinance.

Mr. Claire Haslett: speaks to her Type 1 Diabetes; her fundraising and outreach efforts as a Juvenile Diabetic Research Foundation (JDRF) delegate, with Supervisor Gibson presenting her with a certificate from the Board of Supervisors. **No action taken.**

Hearings:

- 37.** Hearing to consider adoption of the FY 2015-16 Budget including: 1) a resolution adopting budgets for the County and Board of Supervisors governed Special Districts; and 2) a resolution adopting the FY 2015-16 position allocation list (Clerk's File). All Districts.

(This item is amended, per the addendum to the agenda, to update the FY 2015-16 budget per actions taken during the budget hearings held on June 8-10, 2015 which includes: 1) a resolution adopting budgets for the County and Board governed Special Districts; and 2) a resolution adopting the FY 2015-16 Position Allocation List (Clerk's File). All Districts.)

Supervisor Mecham: addresses the strategic plan that was provided by the Veterans Services Officer, and suggests adding one position to Veterans Services and further evaluate the strategic plan for additional staffing augmentations at a future time.

Mr. Dan Buckshi – County Administrative Officer (CAO): states this is a continued item from last week’s budget hearings and public comment is not required, but it is at the discretion of the Chairperson to determine whether or not to allow it.

Chairperson Arnold: opens the floor to public comment.

Mr. Dana Cummings – Veteran’s Services Officer (document); Dr. C. Hite; Mr. Larry Rednick – San Miguel Community Services District (CSD) President; Ms. Susan Warren – North County Connection Volunteer; Ms. Ruth Brackett; and Mr. Tim Haley: speak.

On motion by Supervisor Frank R. Mecham, seconded by Supervisor Lynn Compton, to tentatively approve a Budget Augmentation Request (BAR) to add one Veterans Services position to the overall budget, is discussed.

Supervisor Gibson: addresses various questions regarding the strategic plan, with Mr. Buckshi and Mr. Cummings responding. Additionally, states that he cannot support the motion due to his questions and concerns regarding the data related to numbers of veterans served; the office turnover; and that the Administration Office has not had an opportunity to fully review the plan.

Mr. Buckshi: clarifies the motion is to add one position to Veteran’s Services at a cost of \$88,673 from General Fund Contingencies, with the motion maker and the second concurring.

The Board tentatively approves a BAR to add one position to Veteran’s Services in the amount of \$88,673 to come out of General Fund Contingencies.

Motion by: Frank R. Mecham
Second by: Lynn Compton

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Arnold, Debbie (Chairperson)	x			
Compton, Lynn (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)		x		
Hill, Adam (Board Member)	x			

The Board closes the Fiscal Year 2015-16 budget hearings, including the BAR, as outlined in the supplement budget document, to add one position to Veteran’s Services in the amount of \$88,673 to come out of General Fund Contingencies. Furthermore, RESOLUTION NO. 2015-163, a resolution adopting the County Budget and Budgets for Board Governed Districts for Fiscal Year 2015-2016 and REOSLUTION NO. 2015-164, a resolution allocating positions for Fiscal Year 2015-2016, adopted as amended.

Motion by: Adam Hill
Second by: Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Arnold, Debbie (Chairperson)	x			
Compton, Lynn (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			
Hill, Adam (Board Member)	x			

38.
- Hearing to consider a resolution approving and authorizing submittal of an amendment to the Urban County of San Luis Obispo Program Year 2012, 2014, and 2015 Action Plans for the Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME). All Districts.

Chairperson Arnold: opens the floor to public comment.

Dr. C. Hite (video); Mr. Ken Trigueiro – People’s Self-Help Housing; Mr. Scott Smith – Housing Authority of San Luis Obispo (HASLO); and Ms. Susan Warren: speak.

RESOLUTION NO. 2015-165, a resolution approving and authorizing submittal of an amendment to the Urban County of San Luis Obispo Program Year 2012, 2014, and 2015 Action Plans for the Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME), adopted.

Motion by: Adam Hill
Second by: Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Arnold, Debbie (Chairperson)	x			
Compton, Lynn (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			
Hill, Adam (Board Member)	x			

- 39.** Hearing to consider an appeal by the Sierra Club of the Planning Commission’s approval of Conditional Use Permit DRC2014-00015 (California Flats Solar Project) to construct, operate, and maintain a 3.3 mile access road and temporary construction staging areas near the Highway 41/46 split, to serve an approved 280-megawatt (MW) solar power facility located in unincorporated southeastern Monterey County, and consider the Final Environmental Impact Report certified by Monterey County. District 1.

Board Members: report their ex-parte communications relating to this hearing.

Mr. Patrick McGibney – representing Sierra Club, Appellant (powerpoint and document): speaks.

Ms. Koryn Kendell – representing California Flats, Applicant: speaks.

Chairperson Arnold: opens the floor to public comment.

Ms. Lindi Doud – Bio-Diversity First; Ms. Greg McMillan - Bio-Diversity First (document); Mr. Eric Greening; Mr. Mike Manchak – Economic Vitality Corporation (EVC); Mr. Frank Lewis; Mr. Robert Maher; and Mr. Mike Brown – Coalition of Labor, Agriculture and Business (COLAB): speak.

Mr. Ken Levenstein – Applicant’s Representative; Ms. Kendell; and Mr. McGibney: provide closing statements.

The Board holds the public hearing on the appeal of the Planning Commission’s approval as set forth in the staff report and attachments; and RESOLUTION NO. 2015-166, a resolution denying the appeal by Sierra Club, affirming the Planning Commission’s decision, and approving Conditional Use Permit DRC2014-00016, adopted and based on the Findings and Conditions of Approval in Exhibits A, B, C and D.

Motion by: Frank R. Mecham
Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Arnold, Debbie (Chairperson)	x			
Compton, Lynn (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			
Hill, Adam (Board Member)	x			

Closed Session Items:

- 40.** The Board announces they will be going into Closed Session regarding:

ANTICIPATED LITIGATION (Government Code, section 54956.9.) It is the intention of the Board to meet in closed session concerning the following items: (1) Significant exposure to litigation pursuant to

paragraph (2) or (3) of subdivision (d) of section 54956.9. Number of potential cases: Two; (2) Initiation of litigation pursuant to paragraph (4) of subdivision (d) of section 54956.9. Number of potential cases: Two.

PENDING LITIGATION (Government Code, section 54956.9.) It is the intention of the Board to meet in closed session concerning the following items: Existing Litigation (Gov. Code, section 54956.9(a)). (Formally initiated.) (3) ARB, Inc. v. County of San Luis Obispo; (4) Los Osos Community Services District v. Golden State Water Company, et al.; (5) Bay Area/Diablo Petroleum Co., et al. v. County of San Luis Obispo, et al.; (6) County of San Luis Obispo v. San Luis Obispo Government Attorneys’ Union (PERB No. LA-CO-123-M); (7) County of San Luis Obispo v. San Luis Obispo Deputy County Counsel Association (PERB No. LA-CO-124-M); (8) County of San Luis Obispo County Deputy County Counsel’s Association, et al. v. County of San Luis Obispo, et al. (SLO Sup. Ct. No. CV 10-0425); (9) Wilton Webster and Helen Webster v. County of San Luis Obispo

CONFERENCE WITH LABOR NEGOTIATOR (Government Code, section 54957.6.) It is the intention of the Board to meet in closed session to have a conference with its Labor Negotiator, Tami Douglas - Schatz, concerning the following employee organizations: (10) San Luis Obispo Government Attorney’s Union (SLOGAU); (11) San Luis Obispo County Employees Association – Trades and Crafts (SLOCEA-T&C); (12) Deputy County Counsel’s Association (DCCA); (13) Sheriffs’ Management; (14) San Luis Obispo County Probation Peace Officers’ Association (SLOCPPOA); (15) Deputy Sheriff’s Association (DSA); (16) District Attorney Investigators’ Association (DAIA); (17) San Luis Obispo County Probation Managers’ Peace Officers’ Association (SLOCPMPOA); (18) San Luis Obispo County Employees Association – Public Services, Supervisors, Clerical (SLOCEA – PSSC); (19) Unrepresented Management and Confidential Employees; and (20) Association of San Luis Obispo County Deputy Sheriffs (ASLOCDS).

Chairperson Arnold: opens the floor to public comment without response.

Thereafter, pursuant to the requirements of the Brown Act, County Counsel reports out on the items discussed during Closed Session as follows: the Board gave authority to initiate litigation, if necessary, against two separate defendants, and if and when that litigation is filed, the County will provide copies of the lawsuits to any persons that so request. Further, the Board goes into Open Public Session.

Presentations

- 41. Submittal of a resolution proclaiming June 21, 2015 as "Solar Energy Day" in San Luis Obispo County. All Districts.

RESOLUTION NO. 2015-167, a resolution proclaiming June 21, 2015 as "Solar Energy Day" in San Luis Obispo County, adopted.

Motion by: Adam Hill
Second by: Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Arnold, Debbie (Chairperson)	x			
Compton, Lynn (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			
Hill, Adam (Board Member)	x			

Mr. Kristian Emrich; Mr. Eric Linkugel; Mr. Ruben Tapia; Ms. Maria Kelley; and Mr. John Ewan: speak.

Chairperson Arnold: opens the floor to public comment without response.

Motion by: Adam Hill
Second by: Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Arnold, Debbie (Chairperson)	x			
Compton, Lynn (Vice Chairperson)	x			

Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			
Hill, Adam (Board Member)	x			

Hearings:

42. Hearing to consider an appeal by Michael Kidd of the Planning Commission’s approval of Development Plan/Coastal Development Permit DRC2013-00044 to allow for the development of the 32-acre Harbor Terrace site that would include a range of low-cost overnight and visitor serving accommodations located on the north side of Avila Beach Drive, east of Diablo Canyon Road within Avila Beach, and consider the Final Environmental Impact Report certified by Port San Luis Harbor District. District 3.

Board Members: report their ex parte communications relating to this hearing.

Mr. Robert Fitzroy - Department of Planning and Building: states the Final Environmental Impact Report (FEIR) was not included in the staff report but is available at the Clerk’s office.

Mr. Michael Kidd – Appellant (document): speaks.

Ms. Mary Matakovich - Port San Luis Harbor District Vice-President; Mr. Steve McGrath - Port San Luis Harbor District Harbor Manager; Mr. Tim Duff – Coastal Conservancy Project Manager; and Ms. Menka Sethi - Lisa Wise Consulting, representing Port San Luis Harbor District, Applicant (powerpoint): speak.

Chairperson Arnold: opens the floor to public comment.

Mr. Ray Feeser; Ms. Kristi Blazer (speaks on behalf of Ms. Tara Malzone); Ms. Jane Swanson; Ms. Julie Tacker; Ms. Carol Goldberg; Ms. Rose Hansen (document); Ms. Ann Feeser (document); Mr. Kurt Kupper; Ms. Betty Woody; Mr. Gary Beddingfiel; Ms. Jana Schwartz; Ms. Maggie Derk; Ms. Sylvia Alcon; Mr. Mike Grantham; Ms. Sherri Danoff (documents); Ms. Ann Feeser (speaks on behalf of Ms. Martha Brand); Mr. Drew Brandy; Mr. Dave Kirk; Mr. Jim Blecha; Ms. Mary Matakovich; Mr. Eric Greening; Mr. David Albrecht; and Mr. Dan Rivoire: speak.

On motion by Supervisor Adam Hill, seconded by Supervisor Frank R. Mecham, the Board unanimously agrees to continue the meeting past 5:00 P.M.

Mr. Gordon Hensley; Ms. Carolyn Moffatt; Mr. William Riggs; Ms. Kristi Balzer; and Dr. C. Hite: speak.

Mr. McGrath and Mr. Kidd: provide closing statements.

Ms. Whitney McDonald - Deputy County Counsel: clarifies the Port San Luis Harbor District is the lead agency on this project.

Supervisor Gibson: requests assurance that staff will be looking into the feasibility of establishing a transit stop in close proximity to this project, with Mr. Glenn Marshall - Department of Public Works, responding they will work with the Regional Transit Authority (RTA) and the Harbor District.

The Board holds the public hearing on the appeal of the Planning Commission’s approval as set forth in the staff report and attachments; and RESOLUTION NO. 2015-168, a resolution denying the appeal of Michael Kidd, affirming the Planning Commission’s decision, and approving Coastal Development Permit DRC2013-00044, adopted and based on the Findings and Conditions of Approval in Exhibits A, B, C and D.

Motion by: Adam Hill
Second by: Bruce S. Gibson

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Arnold, Debbie (Chairperson)	x			
Compton, Lynn (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			

Gibson, Bruce S. (Board Member)	x			
Hill, Adam (Board Member)	x			

On motion duly made and unanimously carried, the Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts, does now adjourn.

I, **TOMMY GONG**, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors of the County of San Luis Obispo, and ex-officio clerk of the governing body of all other special assessment and taxing districts for which said Board so acts, do hereby certify that the foregoing is a fair statement of the proceedings of the meeting held Tuesday, June 16, 2015, by the Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

TOMMY GONG, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors

By: /s/ Annette Ramirez, Deputy Clerk-Recorder

DATED: June 18, 2015